

AMENDED IN SENATE MARCH 3, 2008

AMENDED IN SENATE JUNE 14, 2007

AMENDED IN ASSEMBLY APRIL 23, 2007

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

## ASSEMBLY BILL

**No. 1679**

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**Introduced by Assembly Member Evans**

February 23, 2007

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An act to amend Section ~~150~~ 7643 of the Family Code, relating to ~~support obligations~~ *paternity actions*.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1679, as amended, Evans. ~~Support obligations. Paternity actions: records.~~

*The Uniform Parentage Act governs the determination of parent and child relationships in this state, including a judgment of paternity. Existing law requires that, in a trial or hearing held pursuant to provisions governing paternity, papers and records, other than the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in a public agency or elsewhere, are subject to inspection only in exceptional cases upon an order of the court for good cause shown. However, papers and records pertaining to the action or proceeding that are part of the permanent record of the court are subject to inspection by the parties to the action and their attorneys.*

*This bill would instead provide that all papers and records, other than the final judgment, pertaining to the action or proceeding, whether*

*part of the permanent record of the court or of a file in a public agency or elsewhere, are subject to inspection only by the parties to the action, their attorneys, the agents of the party, or the attorney acting under written authorization, or, in exceptional cases, upon an order of the court for good cause shown.*

~~Existing law defines the term “support” as a support obligation owing on behalf of a child, spouse, or family, or an amount owing pursuant to a specified provision of the Family Code.~~

~~This bill would include within that definition of “support,” attorney fees or costs awarded under the Family Code when the court orders those fees or costs payable as support, as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 7643 of the Family Code is amended to  
2     read:

3     7643. ~~(a)~~Notwithstanding any other law concerning public  
4     hearings and records, a hearing or trial held under this part may  
5     be held in closed court without admittance of any person other  
6     than those necessary to the action or proceeding. ~~Except as~~  
7     ~~provided in subdivision (b), all~~ All papers and records, other than  
8     the final judgment, pertaining to the action or proceeding, whether  
9     part of the permanent record of the court or of a file in a public  
10    agency or elsewhere, are subject to inspection only *by the parties*  
11    *to the action, their attorneys, the agents of the party, or the attorney*  
12    *acting under written authorization, or in exceptional cases upon*  
13    an order of the court for good cause shown.

14    ~~(b) Papers and records pertaining to the action or proceeding~~  
15    ~~that are part of the permanent record of the court are subject to~~  
16    ~~inspection by the parties to the action and their attorneys.~~

17    SECTION 1. ~~Section 150 of the Family Code is amended to~~  
18    read:

19    150. ~~(a) “Support” refers to a support obligation owing on~~  
20    ~~behalf of a child, spouse, or family, or an amount owing pursuant~~  
21    ~~to Section 17402. It also includes past due support or arrearage~~  
22    ~~when it exists.~~

1     ~~(b) “Support,” when used with reference to a minor child or a~~  
2 ~~child described in Section 3901, includes maintenance and~~  
3 ~~education.~~

4     ~~(c) “Support” also includes attorney fees or costs awarded under~~  
5 ~~this code when the court orders those fees or costs payable as~~  
6 ~~support, provided that both of the following apply:~~

7     ~~(1) The fees and costs shall not be subject to enforcement or~~  
8 ~~collection by the Department of Child Support Services or local~~  
9 ~~child support agencies pursuant to Chapter 2 (commencing with~~  
10 ~~Section 17400) of Division 17.~~

11     ~~(2) Support payments received shall be credited first to~~  
12 ~~obligations under subdivisions (a) and (b).~~